

REMARKS

The claims stand rejected under 35 U.S.C. §102(e) as being anticipated by Kominami, et al. (“Kominami”) or under 35 U.S.C. §103(a) as being unpatentable over Kominami in view of Elmers, et al. (“Elmers”). Applicant has argued that Kominami may not properly be cited against the pending claims since the claims find support in Applicant’s prior issued U.S. Patent No. 6,256,378. The Examiner has rejected this contention stating that the ‘378 patent “does not provide any disclosure as to how the set-up data is transferred from the output port of the transfer device to a motor vehicle.” Applicant respectfully disagrees.

The ‘378 patent discloses a method and apparatus for setting programmable features of an appliance. “Appliance” is broadly defined in the ‘378 patent to encompass a wide variety of home and office appliances, as well as programmable systems of a motor vehicle. Programmable features of a motor vehicle are thus merely species of the generic term “appliance”. Beginning at column 5, line 65, the ‘378 patent describes how set-up data is transferred from the output port of a transfer device to a generic appliance. This disclosure is applicable to all of the species of appliances contemplated by the ‘378 patent, including programmable features of a motor vehicle. Accordingly, Applicant submits that the ‘378 patent does, in fact, provide enabling support for all the claims pending in the subject application.

Favorable reconsideration of the pending claims is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No.

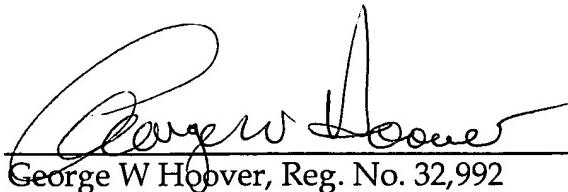
02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: February 27, 2006

By



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on February 17, 2006.



Margaux Rodriguez

February 17, 2006